

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

**ERIC JACKSON, ALARIC STONE, and  
MICHAEL MARCANELLE**, on behalf of  
themselves and all others similarly situated,

Plaintiffs,

v.

**ALEJANDRO N. MAYORKAS**, in his official  
capacity as Secretary of Homeland Security,  
**LLOYD J. AUSTIN, III**, in his  
official capacity as Secretary of Defense,  
**LINDA L. FAGAN**, in her official  
capacity as Commandant of the Coast Guard, and  
**BRIAN K. PENOYER**, in his official capacity  
as Assistant Commandant for Human  
Resources of the Coast Guard,

Defendants.

Case No. 4:22-cv-00825-P

**PLAINTIFFS' STATUS REPORT**

Plaintiffs have conferred with Defendants (the "Coast Guard") about threatened imminent adverse actions against service members including but not limited to imminent discharge dates and imminent dates of transfer to the Inactive Service List ("ISL"; "no-pay, no-points status"). Plaintiffs hereby submit this status update, summarizing the Coast Guard's resulting agreements to date.<sup>1</sup>

- On September 23 and 26, 2022, the Coast Guard agreed to hold off on imminent discharge proceedings against Plaintiff Marcenelle, any other discharge proceedings against the named Plaintiffs, and imminent discharge proceedings against one specific

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<sup>1</sup> The Coast Guard has so far not agreed to hold off on all imminent adverse actions against putative class members. Plaintiffs reserve the right to seek additional relief from the Court if and as appropriate and necessary.

putative class member, pending resolution of the motions for class-wide relief [Doc. 4].

- On September 27 and 29, 2022, the Coast Guard agreed to defer the ISL transfer date to December 1, 2022 for four specific putative class member reservists who had been given a September 30 or October 1, 2022 ISL transfer date.
- Today, September 30, 2022, the Coast Guard agreed to defer the ISL transfer date to December 1, 2022 for all 122 putative class member reservists who had been given an October 1, 2022 ISL transfer date (not counting the four that Defendants previously agreed to defer). The identities of all of these 122 putative class members are unknown to Plaintiffs. The Coast Guard stated that, because of the timing of today's agreement, some or all of those reservists may receive orders that they are in a no-pay, no-points status effective October 1, but that will be corrected by the end of next week to make clear that the transfer date has been changed to December 1.

Dated: September 30, 2022

Respectfully submitted,

/s/ Adam S. Hochschild

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